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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,078	03/31/2004	Patrick Hallinan	066949-0001	4644

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Suite 300 West
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EXAMINER

TORRES, ALICIA M

ART UNIT	PAPER NUMBER
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3671

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/29/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/813,078	Applicant(s) HALLINAN ET AL.	
	Examiner Alicia M. Torres	Art Unit 3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 December 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5, 7, 9-13, 16 and 18-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 7, 16, 18 and 19 is/are allowed.
- 6) ☒ Claim(s) 1-3, 5, 11-13 and 20 is/are rejected.
- 7) ☒ Claim(s) 9 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 11-13 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knott 6,343,461 in view of Pagliero 6,381,854.

Knott discloses a trimming system for a user-operated ground vehicle capable of performing mowing (100) and trimming (20) operations, the system comprising:

- Drive means (110) operatively coupled to a drive system (13) of the vehicle (10) having the trimming system (20) mounted thereon, the drive means (110) comprising a driven pulley (50) operatively coupled to a drive pulley (54) of the vehicle (10), the drive means (110) simultaneously driving the mowing (100) and trimming (20) units (see column 7, lines 41-44)
- A trimming unit (62) operatively coupled to the drive means (110) for performing edge trimming operations.

However, Knott fails to disclose a guide wheel mounted to a vehicle frame adjacent the trimming unit for maintaining at least one trimming wire of the trimming unit at a predetermined distance from a stationary object during performance of the edge trimming operations, said guide wheel mounted on a resiliently biased bracket, the

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bracket resiliently biased by a spring mounted between the vehicle frame and the bracket for allowing deflection of the bracket by a predetermined distance under the bias of the spring relative to the trimming unit and the vehicle frame upon contact of the guide wheel with the stationary object, thereby allowing a user to operate the vehicle at full speed in the vicinity of stationary objects.

Pagliario discloses a similar trimming system including a guide wheel (22) mounted to a vehicle frame (12) adjacent the trimming unit (11) for maintaining at least one trimming wire (11.2) of the trimming unit (11) at a predetermined distance from a stationary object (T) during performance of the edge trimming operations, said guide wheel (11) mounted on a resiliently biased bracket (14), the bracket (14) resiliently biased by a spring (19) mounted between the vehicle frame (12) and the bracket (14) for allowing deflection of the bracket (14) by a predetermined distance under the bias of the spring (19) relative to the trimming unit (11) and the vehicle frame (12) upon contact of the guide wheel (22) with the stationary object (T), thereby allowing a user to operate the vehicle at full speed in the vicinity of stationary objects.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include Pagliario's guide wheel on Knott's trimming system in order so that the cutting member avoids obstacles, avoiding the barking of trees or damage of other objects not meant to be mowed.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Knott and Pagliario as applied to claim 1 above, and further in view of Gustafson et al. 6,722,284.

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The device is disclosed as applied to claim 1 above. However, while the combination discloses a guide wheel, the combination fails to specifically disclose wherein the guide wheel is made of nylon.

Gustafson et al. discloses a guide wheel for a steerable robot. Gustafson et al. teaches that nylon guide rollers (301-304) are ideal in this type of because friction is reduced and wear between the guide wheels and objects is reduced (column 4, lines 45-52).

In light of the teaching of Gustafson et al., it would have been obvious to one having ordinary skill in the art at the time the invention was made to include nylon guide rollers on Knott and Pagliero's trimming system in order to reduce wear and friction.

Response to Arguments

4. Applicant's arguments with respect to claims 1-3, 5, 11-13 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

5. Claims 7, 16, 18 and 19 are allowed.

Claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

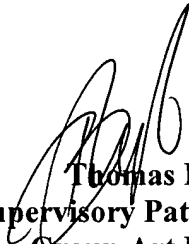
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Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia M. Torres whose telephone number is 571-272-6997. The examiner can normally be reached Monday through Friday from 7:00 a.m. – 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached at 571-272-6998.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the group receptionist whose telephone number is 571-272-3600. The fax number for this Group is 571-273-8300.


Thomas B. Will
Supervisory Patent Examiner
Group Art Unit 3671

AMT
March 26, 2007